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AUG 27 2002

In re Application of  
Ashar Aziz  
Application No. 09/818,424  
Filed: March 26, 2001  
Attorney Docket No. 55218-0504

OFFICE OF PETITIONS

DECISION DISMISSING PETITION  
UNDER 37 CFR 1.182

This is a decision on the petition under 37 CFR 1.182 filed October 5, 2001, requesting acceptance of an unintentionally delayed notice of the filing of a corresponding PCT application under 35 USC 122(b)(2)(B)(iii).

The petition is dismissed for the reasons stated below.

Any request for reconsideration of this decision must be filed within TWO (2) MONTHS from the mail date of this decision. See 37 CFR 1.181(f). Extensions of time under 37 CFR 1.136(a) are not permitted.

A petition under 37 CFR 1.182 is directed to those situations not specifically provided for in the regulations. Since acceptance of an unintentionally delayed notice of the filing of an application in a foreign country or under a multinational treaty that requires publication of applications 18 months after filing under 35 USC 122(b)(2)(B)(iii) is provided for, if at all, in 37 CFR 1.137(f), the petition under 37 CFR 1.182 is dismissed as inappropriate. In view thereof, no decision on the merits of the petition will be given until an appropriate petition under 37 CFR 1.137(f), accompanied by the requisite petition fee set forth in 37 CFR 1.17(m), is filed.

Since this application is regarded as abandoned and until such time as an appropriate petition to revive has been filed, this application will remain abandoned and the request to rescind the previously filed nonpublication request will not be processed.

This application is being forwarded to Technology Center AU 2153.

Telephone inquiries regarding this decision should be directed to the undersigned Petitions Attorney at (703) 305-4497.

Patricia Faison-Ball  
Senior Petitions Attorney  
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Office of the Deputy Commissioner  
for Patent Examination Policy